

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS ANNAMARIA RANIERI 1414 South Penn Square, Unit 18B Philadelphia, PA 19102 (b) County of Residence of First Listed Plaintiff <u>Philadelphia</u> <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i>		DEFENDANTS GLAXOSMITHKLINE 1601 Race Street Philadelphia, PA 19103 County of Residence of First Listed Defendant <u>Philadelphia</u> <i>(IN U.S. PLAINTIFF CASES ONLY)</i> NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED. Attorneys (<i>If Known</i>)	
(c) Attorneys (<i>Firm Name, Address, and Telephone Number</i>) William J. Fox, Esquire 1528 Walnut Street, Ste. 515 Philadelphia, PA 19102 (215) 546-2477			
II. BASIS OF JURISDICTION (<i>Place an "X" in One Box Only</i>)		III. CITIZENSHIP OF PRINCIPAL PARTIES (<i>Place an "X" in One Box for Plaintiff and One Box for Defendant</i>)	
<input type="checkbox"/> 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question <i>(U.S. Government Not a Party)</i>	PTF DEF <input checked="" type="checkbox"/> 1 <input checked="" type="checkbox"/> 1 Citizen of This State	PTF DEF <input type="checkbox"/> 4 <input checked="" type="checkbox"/> 4 <i>Incorporated or Principal Place of Business In This State</i>
<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i>	Citizen of Another State <input type="checkbox"/> 2 <input type="checkbox"/> 2 <i>Incorporated and Principal Place of Business In Another State</i>	<input type="checkbox"/> 5 <input type="checkbox"/> 5
		Citizen or Subject of a Foreign Country <input type="checkbox"/> 3 <input type="checkbox"/> 3 <i>Foreign Nation</i>	<input type="checkbox"/> 6 <input type="checkbox"/> 6

IV. NATURE OF SUIT (*Place an "X" in One Box Only*)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability PERSONAL PROPERTY <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
			LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ft) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))
				FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609
				<input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS		
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		
			IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	

V. ORIGIN (*Place an "X" in One Box Only*)

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from Another District (specify) _____ 6 Multidistrict Litigation

Cite the U.S. Civil Statute under which you are filing (*Do not cite jurisdictional statutes unless diversity*):

VI. CAUSE OF ACTION

Brief description of cause:

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE 6-28-13 SIGNATURE OF ATTORNEY OF RECORD W.J.F.

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT _____

APPLYING IFFP

JUDGE _____

MAG. JUDGE _____

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 1414 South Penn Square, Unit 18B, Philadelphia, PA 19102

Address of Defendant: 1601 Race Street, Philadelphia, PA 19103

Place of Accident, Incident or Transaction:

(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes No

Does this case involve multidistrict litigation possibilities?

Yes No

RELATED CASE, IF ANY:

Case Number: _____ Judge _____

Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?

Yes No

2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?

Yes No

3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?

Yes No

4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?

Yes No

CIVIL: (Place ✓ in ONE CATEGORY ONLY)

A. *Federal Question Cases:*

1. Indemnity Contract, Marine Contract, and All Other Contracts
2. FELA
3. Jones Act-Personal Injury
4. Antitrust
5. Patent
6. Labor-Management Relations
7. Civil Rights
8. Habeas Corpus
9. Securities Act(s) Cases
10. Social Security Review Cases
11. All other Federal Question Cases
(Please specify) Title VII

B. *Diversity Jurisdiction Cases:*

1. Insurance Contract and Other Contracts
2. Airplane Personal Injury
3. Assault, Defamation
4. Marine Personal Injury
5. Motor Vehicle Personal Injury
6. Other Personal Injury (Please specify)
(Please specify) _____
7. Products Liability
8. Products Liability — Asbestos
9. All other Diversity Cases

I, William J. Fox, Esquire, counsel of record do hereby certify:

Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;

Relief other than monetary damages is sought.

DATE: 6-28-13

Attorney-at-Law

69898

Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 6-28-13

Attorney-at-Law

69898

Attorney I.D.#

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

ANNAMARIA RANIERI

CIVIL ACTION

v.

GLAXOSMITHKLINE

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

Date6-18-12(215) 546-2477William J. Fox
Attorney-at-law(215) 546-4698Plaintiff
Attorney forbill@wjfoxpathc.comcastbiz.netTelephoneFAX NumberE-Mail Address

Civil Justice Expense and Delay Reduction Plan
Section 1:03 - Assignment to a Management Track

- (a) The clerk of court will assign cases to tracks (a) through (d) based on the initial pleading.
- (b) In all cases not appropriate for assignment by the clerk of court to tracks (a) through (d), the plaintiff shall submit to the clerk of court and serve with the complaint on all defendants a case management track designation form specifying that the plaintiff believes the case requires Standard Management or Special Management. In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.
- (c) The court may, on its own initiative or upon the request of any party, change the track assignment of any case at any time.
- (d) Nothing in this Plan is intended to abrogate or limit a judicial officer's authority in any case pending before that judicial officer, to direct pretrial and trial proceedings that are more stringent than those of the Plan and that are designed to accomplish cost and delay reduction.
- (e) Nothing in this Plan is intended to supersede Local Civil Rules 40.1 and 72.1, or the procedure for random assignment of Habeas Corpus and Social Security cases referred to magistrate judges of the court.

SPECIAL MANAGEMENT CASE ASSIGNMENTS
(See §1.02 (e) Management Track Definitions of the
Civil Justice Expense and Delay Reduction Plan)

Special Management cases will usually include that class of cases commonly referred to as "complex litigation" as that term has been used in the Manuals for Complex Litigation. The first manual was prepared in 1969 and the Manual for Complex Litigation Second, MCL 2d was prepared in 1985. This term is intended to include cases that present unusual problems and require extraordinary treatment. See §0.1 of the first manual. Cases may require special or intense management by the court due to one or more of the following factors: (1) large number of parties; (2) large number of claims or defenses; (3) complex factual issues; (4) large volume of evidence; (5) problems locating or preserving evidence; (6) extensive discovery; (7) exceptionally long time needed to prepare for disposition; (8) decision needed within an exceptionally short time; and (9) need to decide preliminary issues before final disposition. It may include two or more related cases. Complex litigation typically includes such cases as antitrust cases; cases involving a large number of parties or an unincorporated association of large membership; cases involving requests for injunctive relief affecting the operation of large business entities; patent cases; copyright and trademark cases; common disaster cases such as those arising from aircraft crashes or marine disasters; actions brought by individual stockholders; stockholder's derivative and stockholder's representative actions; class actions or potential class actions; and other civil (and criminal) cases involving unusual multiplicity or complexity of factual issues. See §0.22 of the first Manual for Complex Litigation and Manual for Complex Litigation Second, Chapter 33.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ANNAMARIA RANIERI :
1414 South Penn Square, Unit 18B :
Philadelphia, PA 19102

Plaintiff : **NO.**

v. :

GLAXOSMITHKLINE :
1601 Race Street :
Philadelphia, PA 19103

Defendant :

COMPLAINT

Plaintiff, Annamaria Ranieri, by and through her counsel, brings this complaint against Defendant and avers as follows:

1. Plaintiff, Annamaria Ranieri, is an adult citizen who resides at the above-captioned address.
2. Defendant, Glaxosmithkline (hereinafter GSK), is a business located at the above-captioned address.
3. Jurisdiction over Plaintiff's Federal claim resides in this Court pursuant to Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, et seq., and, 28 U.S.C. §1331, 1343. Jurisdiction over Plaintiff's state law claims resides in this Court pursuant to 28 U.S.C. §1367.
4. Venue resides in this Court pursuant to 28 U.S.C. §1391 because the Plaintiff and Defendant reside within this judicial district.

5. In February of 2011, Defendant GSK hired Plaintiff for the position of Director of Sales & Marketing US Aesthetics.

6. The job offer required that Plaintiff relocate from Scottsdale, Arizona to Raleigh, North Carolina.

7. Among other things, Defendant's offer of employment included:

a. Paying Plaintiff compensation for relocation expenses and placing Plaintiff in GSK's Relocation Program.

b. Paying fair market value for Plaintiff's home if the house was not sold to a third party within a certain period of time;

8. Relying upon upon Defendant's aforesaid promises, Plaintiff accepted Defendant's offer of employment in February of 2011 and undertook considerable efforts and expenses to relocate to Raleigh.

9. After Plaintiff relocated to Raleigh, North Carolina, she placed her Scottsdale home on the market to be sold.

10. Throughout Plaintiff's employment with GSK, her supervisor was a male, Shayne Sundholm, Vice-Pesident of Sales & Marketing NA Consumer.

11. Between August of 2011 and June of 2012, Mr. Sundholm repeatedly made discriminatory and harassing comments to Plaintiff because of her gender, female.

12. Between August of 2011 and March of 2012, Plaintiff made repeated complaints to GSK's human resource department about Mr. Sundholm's sex discrimination and sexual harassment.

13. Despite Plaintiff's complaints, including those made on a private harassment hotline

maintained by GSK, Defendant failed to investigate and/or stop Mr. Sundholm's harassing and discriminatory conduct.

14. After Plaintiff had engaged in the protected activity of making complaints of sex discrimination and harassment, Mr. Sundholm retaliated against Plaintiff by:

- a. Screaming at Plaintiff regarding sales figures that were not her responsibility;
- b. Falsely accusing Plaintiff of submitting false expense reports; and,
- c. Falsely accusing Plaintiff of being rude and hostile to her direct reports.

15. None of Mr. Sundholm's allegations of misconduct lodged against Plaintiff were true.

16. Plaintiff's house was on the market for sale for a period of 90 days, per Defendant's policy, before Defendant made the below market value offer to purchase Plaintiff's house.

17. In March of 2012, Plaintiff learned that GSK's offer to purchase her home was 1) \$300,000.00 below the independent corporate appraisal; and, 2) \$175,000.00 below the payoff amount of her mortgage.

18. In April of 2012, Plaintiff learned that GSK was closing down the department in which she worked. In June of 2012, she was informed by GSK that she was being terminated effective July 11, 2012.

19. Instead of paying market value, GSK offered to purchase Plaintiff's house at a loss in the amount of \$175,000.00.

20. GSK's below market offer was retaliatory because Plaintiff had previously engaged in protected activity.

21. GSK's below market offer constituted a breach of contract.

22. During the time Plaintiff worked at GSK, she maintained two households, one in Raleigh, NC and the other in Scottsdale, AZ. The cost of maintaining the Scottsdale house, while Plaintiff was employed by GSK, exceeded \$115,000.00.

23. When GSK failed to purchase Plaintiff's Scottsdale house at market value, Plaintiff failed to recoup the expenses incurred while maintaining two households.

24. At all times relevant, Defendant acted in a matter to induce Plaintiff to relocate from Arizona to North Carolina by its promises to make her whole with regard to moving costs and housing costs.

25. Defendant breached the promises to pay Plaintiff's relocation expenses when it closed Plaintiff's department, ended her employment and refused to pay Plaintiff's relocation costs.

26. At all times relevant, Plaintiff relied upon Defendant's promises to pay her moving costs, housing costs and other expenses associated with relocating from Arizona to North Carolina.

27. Defendant's failure to pay Plaintiff's relocation costs and pay fair market value for her home in Arizona constitutes a breach of contract and a breach of implied contract.

28. Defendant's aforementioned conduct constitutes sex discrimination, sexual harassment, hostile work environment and retaliation, all in violation of Title VII of the 1964 Civil Rights Act, *et seq.*

29. At all times relevant, Defendant failed to pursue a prompt and thorough investigation of the discriminatory and sexually harassing conduct and failed to remedy Plaintiff's intolerable work conditions.

30. As a result of Defendant's aforementioned actions, Plaintiff suffered great stress and anxiety.

31. Defendant's actions created a hostile environment for Plaintiff and were calculated to punish her and frustrate her.

32. Defendant's actions constitute intentional sex discrimination.

33. Defendant's actions constitute sexual harassment.

34. Defendant's actions constitute retaliation.

35. Plaintiff has properly exhausted all relevant administrative remedies.

36. Defendant has more than 500 full time employees.

COUNT I

**TITLE VII - SEX DISCRIMINATION, SEXUAL HARASSMENT,
HOSTILE WORK ENVIRONMENT & RETALIATION**

37. Plaintiff hereby incorporates by reference the allegations contained in paragraphs 1 through 36 of this Complaint as though same were fully set forth at length herein.

38. Defendant has discriminated against Plaintiff because of her sex; subjected her to sexual harassment and has caused her to work in a hostile work environment with respect to the terms and conditions of her employment, all in violation of 42 U.S.C. § 2000e *et seq.*

39. Defendants' actions constitute retaliatory discharge in violation of 42 U.S.C. § 2000e *et seq.*

**COUNT II
STATE LAW CLAIMS**

40. Plaintiff hereby incorporates by reference the allegations contained in paragraphs 1 through 39 of this Complaint as though same were fully set forth at length herein.

41. The conduct of Defendants as alleged in the foregoing claims for relief constitutes discrimination, sexual harassment, hostile work environment and retaliatory discharge in violation of the Pennsylvania Human Relations Act.

42. Defendant's aforementioned conduct constitutes a breach of contract.

43. Defendant's aforementioned conduct constitutes a breach of implied contract.

44. Defendant has at all times material to the foregoing claims acted willfully and with malice toward Plaintiff. Defendant knew, or reasonably should have known, that the aforementioned conduct was a violation of its handbook, policies and work rules and the laws of Pennsylvania and the United States. Defendant took no action to cease its wrongful conduct, and, in fact, committed further acts designed to cover the patent discrimination against Plaintiff because of her sex.

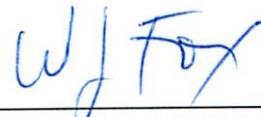
JURY DEMAND

Plaintiff demands a trial by a jury.

WHEREFORE, Plaintiff, Annamaria Ranieri, demands judgment in her favor against Defendants and seeks relief as follows:

- A) Awarding compensatory damages under the Title VII and PHRA and damages for breach of contract and breach of implied contract;
- B) Awarding interest calculated at the prevailing rate;
- C) Awarding punitive damages;
- D) Awarding equivalent pay, back pay, front pay and all other damages allowed under Title VII, and PHRA;
- E) Awarding reasonable attorney's fees, expert witness fees and other costs of the action; and

F) Granting such other relief as the Court deems just and appropriate.



WILLIAM J. FOX, ESQUIRE
Law Offices Of William J. Fox, P.C.
Attorney for Plaintiff
1528 Walnut Street, Suite 515
Philadelphia, PA 19102
(215) 546-2477

Dated: 6-18-13